

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

CRIMINAL ACTION
NO. CR93-10012-06

VERSUS

ARTHUR WILLIAMS

JUDGE DEE D. DRELL
MAGISTRATE JUDGE JAMES D. KIRK

O R D E R

Before the court is a motion to correct an illegal sentence filed on February 15, 2007 by Arthur Williams ("Williams"). Williams was convicted and sentenced in 1994, in the United States District Court for the Western District of Louisiana, Alexandria Division, for felony drug offenses. Williams was sentenced to 250 months imprisonment followed by four years supervised release and fined \$50,000.

Williams contends (1) his enhanced sentence was not imposed in compliance with 21 U.S.C. § 851(a)(1) and (b),¹ and the court lacked jurisdiction to enhance his sentence, and (2) he had ineffective assistance of counsel due to his attorney's failure to raise the issue of jurisdiction to enhance Williams' sentence at the sentencing hearing.

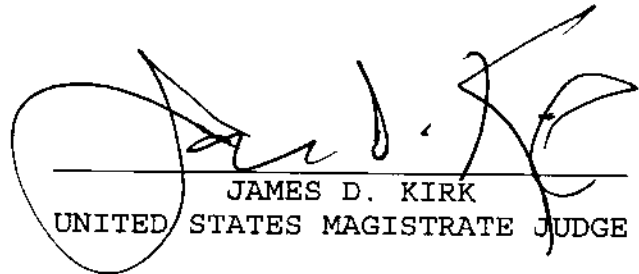
¹ The statute is incorrectly cited in Williams' brief as 28 U.S.C. § 851; Williams quotes the language of 21 U.S.C. § 851.

Williams has not specified whether he is bringing his motion to correct sentence pursuant to Fed.R.Crim.P. rule 35, or 28 U.S.C. § 2255. Before this court can proceed any further with consideration of Williams' motion, he must inform the court which statute he is bringing his motion under, so the court can understand the precise nature of Williams' motion.

Accordingly,

IT IS ORDERED that Williams shall inform the court in writing, on or before **March 23, 2007**, which statute he is bringing his motion to correct sentence under. Failure to comply with this order may result in dismissal of the motion.

THUS DONE AND SIGNED in Alexandria, Louisiana, on this 6th day of March, 2007.



JAMES D. KIRK
UNITED STATES MAGISTRATE JUDGE